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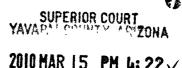
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| 6        | IN THE SUPERIOR COURT   |
|----------|---|
| 5        |   |
| 7        | Telephone: 928-771-3344  ycao@co.yavapai.az.us  |
| <i>3</i> | Telephone: 928-771-3344   |
|          | 255 East Gurley Street Prescott, AZ 86301   |
| _        | 255 East Gurley Street  |
| 2        | DEPUTY COUNTY ATTORNEY  |
|          | JOSEPH C. BUTNER SBN 005229   |
| 1        | YAVAPAI COUNTY ATTORNEY'S OFFICE<br>JOSEPH C. BUTNER SBN 005229<br>DEPUTY COUNTY ATTORNEY |
|          |   |



2010 MAR 15 PM 4: 22 V

JEANNE HICKS, CLERK

BY: S Smisko

## IN THE SUPERIOR COURT OF STATE OF ARIZONA IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA, Cause No. P1300CR20081339 Plaintiff, Division 6 STATE'S RESPONSE TO DEFENDANT'S MOTION FOR EXPEDITED HEARING STEVEN CARROLL DEMOCKER, Defendant.

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby submits its Response to Defendant's Motion for Expedited Hearing and asks that the Motion be denied. At the same time Defendant requests an expedited hearing, he also files additional motions on the same or closely related issues. As a result, the necessity for expediency has been lost. Moreover, the State must be given adequate time to respond to these motions. If the most recent barrage of motions had been hand delivered, the due date for responses would be March 22, 2010. As these motions were delivered to the State's courthouse box, by law the State has fifteen days to respond putting the due date at March 25, 2010. The hearing on pending issues is currently set for March 30, 2010.

Defendant complains that his resources are strapped due to the on-going disclosure and that immediate rulings would give him relief. The State is well-versed in the challenges of Office of the Yavapai County Attorney
255 E. Gurley Street, Suite 300
Prescott, AZ 86301
Phone: (928) 771-3344 Facsimile: (928) 771-3110

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working with minimal resources which are stretched to the limit; however, that factor is not sufficient cause to "jump the gun" and argue these closely related issues on a piecemeal basis or before they have been fully briefed. Also, the State is aware that this Court has a 12 day trial scheduled to begin March 17, 2010. Any time that the Court might carve out to hear the issues during that trial would be extremely limited.

As Defendant has filed additional motions on the same or closely related issues as those for which he seeks an expedited hearing and given that even if an expedited hearing were scheduled, the time to argue the issues would be extremely limited, an expedited hearing would serve no meaningful purpose as it would not allow resolution of all the issues pending. Defendant's request should be denied.

RESPECTFULLY SUBMITTED this 15 day of March, 2010.

Sheila Sullivan Polk

YAVAPALCOUNTY ATTORNEY

By: \_\_/

Joseph C. Butner

Deputy County Attorney

## Office of the Yavapai County Attorney 255 E. Gurley Street, Suite 300 Prescott, AZ 86301 Phone: (928) 771-3344 Facsimile: (928) 771-3110

| 1  | COPIES of the foregoing delivered this day of March, 2010 to: |
|----|---|
| 2  | day of waren, 2010 to.  |
| 3  | Honorable Thomas J. Lindberg<br>Division 6                    |
| 4  | Yavapai County Superior Court (via email)                     |
| 5  | (1-10-1-1-1-1)  |
| 6  | John Sears  |
| 6  | 107 North Cortez Street, Suite 104                            |
| 7  | Prescott, AZ 86301  |
|    | Attorney for Defendant  |
| 8  | (via email)   |
| 9  | Larry Hammond   |
| 10 | Anne Chapman  |
| 10 | Osborn Maledon, P.A.  |
| 11 | 2929 North Central Ave, 21 <sup>st</sup> Floor Phoenix, AZ    |
| 12 | Attorney for Defendant  |
|    | (via email)   |
| 13 | 1 0 .00   |
| 14 | By: Web Coull   |
| 15 |   |
| 16 |   |
|    |   |